

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS**  
**NOTICE OF CLERK'S DEFAULT NOT ENTERED**

STYLE OF CASE: UNITED STATES OF AMERICA ex. rel. Tom Proctor v. Next He

CASE NUMBER: 4:17-cv-00169-ALM-KPJ

The clerk cannot enter the default as requested in the above listed case for the following reason(s):

## CLERK'S ENTRY OF DEFAULT

- Affidavit not received
  - Defendant is an infant (under age 21)
  - Defendant is an incompetent person
  - Defendant is in the military or was six months prior to filing of the complaint
  - Defendant has answered or filed a responsive pleading
  - Answer or responsive pleading was filed; however, was filed late
  - Defendant was not properly served
  - Time to answer has not expired
  - Defendant is the USA
  - Other - Defendant is pro se

## DEFAULT JUDGMENT

- Affidavit not received
  - Defendant is an infant (under age 21)
  - Defendant is an incompetent person
  - Defendant is in the military or was six months prior to filing of the complaint
  - Defendant has answered or filed a responsive pleading
  - Answer or responsive pleading was filed; however, was filed late
  - Defendant was not properly served
  - Time to answer has not expired
  - Defendant is the USA
  - Plaintiff's claim is not for a sum certain
  - Amount due is different in kind or exceeds amount prayed for
  - Does not dispose of all parties in the case
  - Other -

David A. O'Toole, Clerk

cc: Presiding Judge  
Defendant